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Attorneys for Defendants
VXN GROUP LLC; STRIKE 3 HOLDINGS, LLC;
GENERAL MEDIA SYSTEMS, LLC; and
MIKE MILLER

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

MACKENZIE ANNE THOMA, a.k.a.
KENZIE ANNE, an individual and on
behalf of all others similarly situated,

Plaintiff,

v.

VXN GROUP LLC, a Delaware
limited liability company; STRIKE 3
HOLDINGS, LLC, a Delaware limited
liability company; GENERAL MEDIA
SYSTEMS, LLC, a Delaware limited
liability company; MIKE MILLER, an
individual; and DOES 1 to 100,
inclusive,

Defendants.

Case No. **2:23-cv-04901 WLH (AGRx)**

**NOTICE OF SUPPLEMENTAL
AUTHORITY**

NOTICE OF SUPPLEMENTAL AUTHORITY

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1 **PLEASE TAKE NOTICE**, Plaintiff is attaching as **Exhibit 1** a copy of the
2 recent Order Re: Motion to Remand and Motion to Dismiss in *Turesa Wilcox v.*
3 *Harbor UCLA Med. Ctr. Guild, Inc.*, 2:23-cv-02802-MCS-JC (C.D. Cal. August
4 14, 2023). In *Wilcox*, a case also brought by Plaintiff’s counsel, the Bibiyan Law
5 Group, with a similar class action complaint and motion to remand, the Honorable
6 Judge Scarsi granted the defendants’ motion to dismiss, and denied the plaintiff’s
7 motion to remand, for reasons similar to those raised in Defendants’ Motion to
8 Dismiss [**Dkt. 9**] and Opposition to Plaintiff’s Motion to Remand [**Dkt. 17**].

9 Specifically, Judge Scarsi found: (1) defendants’ were “reasonable to assume
10 that, using Wilcox’s established rate and hours worked, 100% of former employees
11 suffered derivative waiting time violations” [**Ex. 1 at 6**]; (2) the plaintiff’s UCL
12 claim was not grounds to remand because “it does not follow that the lack of
13 equitable jurisdiction over one claim merits remand of an entire action where there
14 are eight claims antecedent to the derivative UCL claim” [**Ex. 1 at 7**]; (3) plaintiff’s
15 complaint should be dismissed entirely for failure to state a claim because the
16 plaintiff failed to plead any specific facts in support of her claims, [**Ex. 1 at 9–15**];
17 (4) and any amended complaint should only be filed “provided [the plaintiff] can
18 do so without violating Federal Rule of Civil Procedure 11(b)” [**Ex. 1 at 16**].
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20
21

22 Dated: August 17, 2023

Respectfully submitted,

KANE LAW FIRM

24 By: /s/ Brad S. Kane

Brad Kane

Attorney for Defendants

VXN Group LLC; Strike 3 Holdings,
LLC; General Media Systems, LLC;
and Mike Miller
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CERTIFICATE OF SERVICE

I, Brad S. Kane, hereby certify that this document has been filed on August 17, 2023, through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Dated: August 17, 2023

By: /s/ Brad S. Kane
Brad Kane

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